

2. The Petition for Writ of Habeas Corpus [Doc. No. 1] is **DISMISSED WITH PREJUDICE** and without an evidentiary hearing;
3. There is no probable cause to issue a certificate of appealability²; and
4. The Clerk of Court is directed to **CLOSE** the case.

It is so **ORDERED**.

BY THE COURT:

/s/ Cynthia M. Rufe

CYNTHIA M. RUFÉ, J.

his habeas petition. The R&R also correctly noted that the record contradicts Petitioner's claim that he was denied mental health proceedings. *See* Doc. No. 22, Exs. 2-5. The habeas petition will therefore be dismissed as moot.

² Petitioner has not made a substantial showing of the denial of a constitutional right; there is no basis for concluding that "reasonable jurists could debate whether . . . the petition should have been resolved in a different manner or that the issues presented were adequate to deserve encouragement to proceed further." *Slack v. McDaniel*, 529 U.S. 473, 484 (2000) (internal citation omitted).